

13 December 1972

MEMORANDUM FOR: Mr. David R. Young
The White House

SUBJECT : Draft Letter of Instructions Re: Data Index
System

1. Your memorandum of 1 December, subject as above, is addressed to the chairman of each departmental committee. Mr. Colby, the chairman of the CIA committee and also the Executive Director of the Agency, has asked me to reply in my capacity as the CIA member to the ICRC. Our rationale is that the memorandum and attachments involve matters of concern to the ICRC as well as the departments required to establish data index systems. You will note that some of our comments derive from our membership on the ICRC and some from our being one of those departments which must have a data index system.

2. As you know, under the Directive data index systems are required of some 30 departments and agencies. The ICRC does not now have enough information as to the impact of the proposed letter on the various departments. Can they comply? At what costs? (See in this regard paragraph 4 concerning estimated costs to CIA.) What benefits would the departments derive? Do the benefits to the departments and the ICRC justify the costs? What modifications would be helpful? Before the Letter is issued, some of these issues would have to be explored with the departments.¹ In short, the ICRC has not studied this matter enough to be in a position to impose requirements on the departments. In this regard, we assume but do

¹It is assumed the Letter of Instructions is to be approved by the Committee itself prior to its issuance and would be issued in the name of the Committee.

not know that all 30 departments and agencies have not taken part in the discussions and meetings of the ICRC Computer Working Group Committee. Thus, the Letter of Instructions would be out of the blue to a number, and perhaps most, of the departments affected.

3. We question the value of paragraph 5. There would be some work required of the departments in complying, and on ICRC members.

4. Under the NSC Directive categories of documents are to be selected for approval of the ICRC as having sufficient importance to warrant inclusion in each department's index system. An appropriate first step is for ICRC to invite the departments to select categories for ICRC approval and, in view of short deadlines, this should be done promptly. In addition, paragraph 6 is entirely inconsistent with the position CIA has taken all along in our discussions with the ICRC staff and data index experts; namely, that the documents to go into the CIA index are finished intelligence documents. If we were to attempt at this date to change our efforts in this regard to include all the documents indicated by paragraph 6, we could not meet the deadlines and it is certain that we would incur heavy costs. (Our preliminary estimate is that the increase in CIA annual expenditures would be in the millions of dollars and hundreds of additional personnel would be required.) In fact, finished intelligence documents of course are the documents CIA produces which have historical value. Also with reference to documents to be included, the first paragraph beginning on page 3 indicates that the ICRC has determined the documents to be included. Before the Letter could be issued, the Committee of course would have to make such a determination, either by a meeting or by agreement obtained by letter or telephone. We wonder if the "Exceptions" provision on page 3 would not be putting on the ICRC a heavy burden of work much greater than its value. The last two sentences on page 3 are unclear. Are all documents having at least one of the three characteristics to be included?

5. In paragraph 7 at least two items of information are required to be put into the index system which the NSC Directive does not call for; namely, the name of the originating office and title or description of the document. Most of the items of information called

for in paragraph 7 are available within our AEGIS system. Several are available from the operation of that system in conjunction with other Agency procedures. We can continue that arrangement but could not easily and usefully put the additional data into the system.

6. The time factor imposed by paragraph 8 seems unauthorized by the NSC Directive and in any event is unrealistic in terms of need and cost. What is intended by the last sentence in paragraph 8?

7. The reports contemplated by paragraph 11 require further study before the requirements could be imposed. They should be required only if they will serve a purpose. Further, they should be submitted in sufficient numbers to furnish copies to ICRC members and staff. Paragraph 11A contemplates an annual systematic review for declassification which the NSC Directive and the Executive Order do not require. The Annual Review List is to include documents which are exempt and over 10 years old, or indicate an event for declassification. Since 10 years will elapse before the first category of documents first appears in any report, the requirements for the reports at this stage could be tailored to the latter category only. The first sentence of paragraph 11B(2) is confusing. Would not both categories of documents become declassified during the previous year?

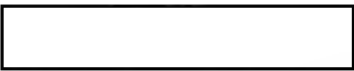
8. Again from the point of view of confining the proposed Letter to its essentials, paragraph 12 could be omitted.

9. It might be desirable to specify the instructions and memorandum referred to in paragraph 13.

10. In short, we believe the matter has not received sufficient Committee attention and the instructions, in such great detail, cannot be issued at this stage. On the other hand, the requirements, including the time element, of Section VII exist. Since Section VII has been in existence and known to the departments for months, the departments presumably are preparing to meet the deadlines, establishing and operating the system within the parameters we have discussed with the ICRC computer data experts.) It is suggested that the only useful and workable instructions which could be issued at this time would be a letter reminding that the requirements of Section VII become operative after 31 December 1972. Such a letter also would request all departments to select

categories for approval by ICRC "as having sufficient historical or other value appropriate for preservation", which documents would go into each department's index system, as required by Section VII.

WFOID


Acting General Counsel

STATINTL

OGC:RHL:sin

Original - Addressee

- 1 - SECURITY-E. O. 11652-ICRC-Computer Working Group subj ✓
- 1 - RHL signer
- 1 - Chrono